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TAGS: [PHUM](#) [PGOV](#) [KJUS](#) [CO](#)
SUBJECT: MINISTRY OF DEFENSE COMMISSION FINDS ARMY
CORRUPTION AND LACK OF OVERSIGHT CONTRIBUTED TO
EXTRAJUDICIAL KILLINGS

REF: A. BOGOTA 3959
[1](#)B. BOGOTA 3920

Classified By: Political Counselor John S. Creamer. Reason: 1.4(b,d)

Summary

[1](#)1. (C) Vice Minister of Defense (MOD) Sergio Jaramillo briefed the Ambassador on the results of the special military Commission that reviewed the recent Soacha and eastern Antioquia killing. He said the Commission's finding showed a mix of corruption, inadequate intelligence and operational procedures, and commanders' negligence that made the killings possible. The MOD will not maintain the Commission, but will look to institutionalize its recommendations. He clarified that the Commission conducted an administrative review--not a criminal or disciplinary process--and noted that the Prosecutor General's (Fiscalia) and the Inspector General's (Procuraduria) Offices will continue their investigations. Jaramillo believed that Army Commander General Mario Montoya--who resigned on November 4--had undercut the work of the Committee on extrajudicial killings which was set up by the Defense Minister in July 2007. End Summary.

Commission's Policy Review Complements
Ongoing Investigations

[1](#)2. (C) Vice Minister of Defense Sergio Jaramillo briefed the Ambassador on October 31 on the results of the special military Commission that reviewed the recent Soacha killings, as well as similar cases in Antioquia. He said the Commission's findings that corruption, inadequate intelligence and operational procedures, and commanders' negligence at all levels made the killings possible led to President Uribe's decision to dismiss 27 military officers and noncommissioned personnel. Jaramillo clarified that the Commission was not called to establish individual criminal or disciplinary responsibility, which would be left to the respective, ongoing Fiscalia and Procuraduria investigations. He said the MOD would not maintain the Commission, but would institutionalize its recommendations to avoid future abuses. The MOD would also continue to implement its new human rights doctrine in the field.

Corruption and Lack of Oversight

¶3. (C) Jaramillo discounted Fiscal General Mario Iguaran's claims that the killings reflect problems with the GOC's rewards program for civilian informants, noting that the GOC has relatively tight controls over the award of such benefits. Still, he acknowledged that the review shows a lack of controls over units' use of intelligence funds helped contribute to the abuses. Jaramillo denied that the Commission's work reveals a pattern of premeditated murder involving different units, but conceded it does highlight a pattern of sloppiness as well as a perception among some commanders that producing "body counts" satisfied pressure from above to show results. The report also confirms that the Army's internal disciplinary system is completely broken.

¶4. (C) Another MOD source who participated in the Commission confirmed a pattern of negligence as well as pressure to produce "body count." She said the Commission found that there was no cross-checking of intelligence information or sources and that commanders frequently used humiliation and peer pressure to attain "body counts." She believed a soldier's father was killed by members of the 14th brigade after he began testifying about the brigade's involvement in extrajudicial killings and other criminal acts, including purchasing arms in the black market in Medellin. The soldier involved is currently in the Fiscalía Witness Protection Program.

President Uribe Supports Commission

¶5. (C) Jaramillo said the Commission briefed MOD Santos on its findings on October 27, leading to a second briefing for President Uribe the next day. Uribe immediately supported the Commission's recommendation on the need to dismiss military personnel, including divisional and brigade commanders, but rejected the notion that his demand for "results" contributed to the killings. The President stressed that he had always called for legal results, not criminal activity. Jaramillo speculated that the Commission's findings will help Uribe overcome his previous reluctance to believe that military officers could commit such crimes. He noted that Uribe sharply condemned military involvement in criminal activity in his October 22 announcement dismissing the 27 military personnel.

Extrajudicial Killings a Real Problem
but Efforts Underway

¶6. (C) Jaramillo acknowledged that extrajudicial killings are an old problem but said difficulties in defining extrajudicial killings and obtaining accurate information complicated efforts to identify solutions. Some killings are accidents which are covered up as "false positives," while others are fabrications by human rights groups and the FARC. The GOC receives periodic reports from the International Committee of the Red Cross (ICRC) and UN High Commission for Human Rights, which are more reliable. Jaramillo suggested that trends--not absolute numbers--are the key indicators to follow on the issue. Despite his qualifications, Jaramillo said the GOC recognizes that extrajudicial killings are real problem, and is committed to solving this problem.

¶7. (C) Jaramillo reviewed the MOD's efforts to combat extrajudicial killings, citing the work of the Committee set up in July 2007 under directive 10. The Committee has built a consensus on parameters of the problem, followed up on cases, supported Fiscalía investigations, and produced policy changes. The Committee also spurred the MOD to develop its Human Rights doctrine, which was unveiled last December. Still, Jaramillo said the Committee's work was hampered by

internal resistance led by then Army Commander Mario Montoya. He alleged that Montoya did not allow the Army's Inspector General to do his work, and said the system of inspector delegates at the divisional level also did not function. In fact, the delegates covered up abuses more often than uncovering them.

18. (C) Jaramillo said the MOD deliberately kept Montoya in the dark about the Commission and decision to dismiss the officers involved until after the meeting with Uribe. When Montoya criticized Santos after the press conference announcing the dismissals, Uribe rebuked Montoya, noting that the Inspector General and inspector delegates were clearly not doing their jobs. Montoya resigned under pressure on November 4 (see septel).

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